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**Spoken  
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**Written Testimony Opposing Senate Bill No. 5,  
An Act Concerning Changes to Campaign Finance Laws and Other Election Laws**

Good afternoon Senator Musto, Representative Jutila and distinguished members of the Government Administration and Elections Committee. My name is Andy Schatz. As President of the American Civil Liberties Union of Connecticut, I am here to oppose Senate Bill No. 5, An Act Concerning Changes to Campaign Finance Laws and Other Election Laws, just as we opposed a similar bill vetoed by Governor Malloy last year.

Although we agree with the importance of election transparency, this bill would infringe on First Amendment rights of free speech and freedom of association, limit debate and discussion of public policy and pose significant threats to non-profit advocacy organizations and their donors whose activities are not involved in election campaigns but in issue advocacy.

Most alarming is the requirement that private organizations disclose the names of donors, even when the organizations are not supporting, endorsing or opposing candidates. The law would require organizations to reveal the names of their top five donors in any communication within 90 days before an election or primary if that communication mentions any public official who happens to be a candidate for office. The organizations would also be required to post on the internet the names of anyone donating more than \$1,000.

This would deter pure issue advocacy, such as a communication calling on the public to contact the governor or legislators about a matter of public policy, the kind of action alert regularly carried out by such organization as the American Civil Liberties Union, Gay and Lesbian Advocates and Defenders, Planned Parenthood and the National Rifle Association, to name but a few.

The threat of exposing the private associations of individual donors would also surely discourage people from joining and contributing to organizations, particularly those that take controversial or unpopular positions and those that oppose government policies. Many people prefer to keep their support for such positions private, and reasonably fear the personal, social and professional consequences of public disclosure.

The U.S. Supreme Court recognized the danger of chilling free speech and association in ruling over 50 years ago in *NAACP v Alabama* and other cases that the government could not compel disclosure of the membership lists of or contributions to such advocacy organizations.

Those who argue that anonymous speech should not be protected or that disclosure is always healthy perhaps forget that pioneers in every great civil rights struggle have faced grievous personal sacrifices, including the loss of jobs, families, even their lives. The threats, injuries and even deaths of abortion rights supporters in recent years show that these concerns have not disappeared. If donors dare support only popular causes, democracy will be seriously injured.

The ACLU of Connecticut recognizes the immense difficulty of the task before this committee and commends you for undertaking it. Just as you have no desire to infringe on constitutional rights, we have no desire to impede campaign finance reform. However, neither must be sacrificed to the other. Campaign finance reform and freedom of speech can be compatible, and the law can support both.

We respectfully ask you to repair this legislation to protect constitutional rights.